

## **Abstract**

### **The Issue of the Just Distribution of Limited Resources in the Health Sector**

The aim of this thesis is to evaluate the current state and development of the principal legal institutes concerning health care financing and to define their relationship to the main principles of distributive justice. Health care financing is a specific issue, from both the economic as well as legal point of view, especially because human life is dealt with in this domain. The first chapter therefore deals with distributive justice in health care as a potentially leading principle for elaborating legislation. The history of philosophy has provided legislators with some useful tools which can help them to decide whether a norm can be labelled as „just“.

The following part of the text consists of three chapters which deal with different levels of redistribution. In the first chapter, the national level is focused on, the key issues being the evolution of health care systems, their typology according to the financial sources (taxes, insurance or private financing) and main advantages and disadvantages of each of the options. Furthermore, this part of the text discusses the total amount of money provided for health care by the state, extra financial resources and the question of the right to health. A characteristic representative of each type of health care system is given and described. A special chapter is dedicated to the situation in the Czech Republic.

The following two chapters of the thesis deal with lower redistribution levels. The first one concerns the health care providers, insurances, the importance given to individual levels of health care and the financing mechanisms in the Czech Republic. The second one analyses distribution of resources among the patients.

On each level, the current Czech legislation is discussed first of all. Then possible legal solutions of potential problems are mentioned. The main source of these suggestions is the legislation of foreign countries.

In the context of redistribution, the whole text emphasizes philosophical principles of justice. Without these, health care becomes a battlefield of personal interests and the principal value of health care – human health – is disregarded.